

**MINUTES OF THE JONESTOWN PLANNING AND ZONING COMMISSION
REGULAR MEETING HELD JULY 15, 2009, 7:30 P.M. AT THE CITY COUNCIL
CHAMBERS 18649 FM 1431, SUITE 3-A, JONESTOWN, TEXAS**

1. CALL TO ORDER

CHAIRMAN YOST

Chairman Yost called the meeting to order at 7:30 p.m.

2. ROLL CALL

SECRETARY

The following members were present: Robert Donnelly, Alan Yost, David Nelsen and Larry Oaks. Tricia Anglea was absent. A quorum was present.

3. APPROVAL OF MINUTES

Regular Meeting, April 15, 2009

Commissioner Nelsen made a motion to approve the minutes of the April 15, 2009 meeting. Commissioner Donnelly seconded the motion, which carried unanimously.

B. CITIZENS COMMUNICATIONS

There were no citizen communications.

C. GENERAL BUSINESS AND ACTION ITEMS.

1. Discussion and possible action to consider a request by the Jonestown City Council to examine the necessity of a Conditional Use Permit for commercial vehicles in residential districts.

Chairman Yost opened the discussion to the citizens present to speak on the matter. Ric Ramie spoke on behalf of Bruce Dunn who had received notification from the city of being in violation of parking a commercial vehicle in a residential zone. Mr. Dunn, a long time resident, had previously presented to the City Council a petition signed by other residents stating they had supported Mr. Dunn in allowing his commercial vehicle to be parked in the neighborhood. The Council deferred the matter to this commission to consider the development of a conditional use permit to allow commercial vehicle to be parked in residential zones on a case-by-case basis.

Commissioner Nelson moved to close the public hearing on the matter. Motion was seconded by Commissioner Donnelly. Motion passed unanimously.

The Commission discussed if there were other options for Mr. Dunn other than making changes to the ordinance. Other discussion included compliance issues under the existing regulations. Marilee Pfannstiel, Code Enforcement Officer, stated that there were other commercial vehicles that were in violation and were notified at the same time as Mr. Dunn. Those addresses had been brought into compliance but there have been additional violations noted since that date. Chairman Yost questioned the definition of a commercial vehicle as it is listed in the definitions.

Commissioner Oaks made a motion to develop a list for future consideration of changes to the ordinances and add to that list the definition of commercial vehicle, to strike the phrase “that is used to transport persons or property for profit or in the course of a commercial enterprise” and that the staff develop a list of sections of the ordinance that are problematic, to be addressed in a work session.. Motion was changed to a recommendation and no second was necessary.

Commissioner Nelson made a motion to recommend to City Council possible action to consider the request to examine the necessity of a conditional use permit for a commercial vehicles in residential districts, specifically to 94.020(g)(15)(c), the addition to that section item (iv), a specific vehicle with a conditional use permit per section 94.060, on section 94.060 add the statement (b)(13) Commercial vehicle parked, placed, stored, or located on property in a residential district, R-R, R-1, R-2, R-3, M-1, M-2, (A) permit issued for a specific vehicle, (B) permit administratively renews every 12 months unless a complaint is registered with the City. Otherwise, the renewal application must be processed by the Planning and Zoning Commission. The motion was seconded by Commissioner Donnelly. Commissioner Donnelly, Commissioner Nelsen and Chairman Yost voted for the motion. Commissioner Oaks abstained. Motion passed.

D. ADJOURNMENT

Chairman Yost adjourned the meeting at 8:17 p.m.

PASSED AND APPROVED AT A REGULAR MEETING HELD ON AUGUST 19, 2009.

Alan Yost, Chairman

ATTEST:

Marilee Pfannstiel, Assistant City Secretary